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18 Attorneys for Defendant  
19 Otto Trucking LLC

20 **UNITED STATES DISTRICT COURT**  
21 **NORTHERN DISTRICT OF CALIFORNIA**  
22 **SAN FRANCISCO DIVISION**

23 Waymo LLC,

24 Plaintiff,

25 v.

26 Uber Technologies, Inc.; Ottomotto LLC; Otto  
27 Trucking LLC,

28 Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF HAYES HYDE IN  
SUPPORT OF PLAINTIFF'S  
ADMINISTRATIVE MOTION TO FILE  
UNDER SEAL PORTIONS OF ITS  
DISCOVERY LETTER BRIEF IN  
SUPPORT OF WAYMO'S MOTION TO  
COMPEL**

1 I, Hayes Hyde, declare as follows:

2 1. I am an attorney at the law firm of Goodwin Procter, LLP. I make this declaration  
3 based upon matters within my own personal knowledge and if called as a witness, I could and  
4 would competently testify to the matters set forth herein. I make this declaration in support of  
5 Plaintiff's Administrative Motion to File Under Seal Portions of Its Discovery Letter Brief in  
6 Support of Waymo's Motion to Compel (Dkt. 681).

7 2. I have reviewed the following documents and confirmed that only the portions  
8 identified below merit sealing:

Document	Portions to Be Filed Under Seal
Portions of Waymo's Letter Brief	Highlighted Portions
Exhibit 1 to the Letter Brief	Entire Documents
Exhibit 7 to the Letter Brief	Entire Documents

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10  
11  
12  
13 3. The highlighted portions of the Letter Brief include highly confidential, sensitive  
14 business information relating to the terms of Otto Trucking's agreements and corporate structure,  
15 that is not publicly known, and this information's confidentiality is strictly maintained. I  
16 understand that this information could be used by competitors to Otto Trucking's detriment,  
17 including in the context of negotiating business deals. If such information were made public, I  
18 understand Otto Trucking's competitive standing could be significantly harmed.

19 4. The entirety of Exhibit 1 contains highly confidential sensitive business  
20 information of Otto Trucking relating to terms of Otto Trucking's agreements. This information is  
21 not publicly known, and its confidentiality is strictly maintained. I understand that this information  
22 could be used by competitors to Otto Trucking's detriment, including in the context of negotiating  
23 business deals. If such information were made public, I understand Otto Trucking's competitive  
24 standing could be significantly harmed.

25 5. The entirety of Exhibit 7 contains personally identifiable information of a third  
26 party, and must therefore not be made public.

27 6. I have reviewed the following document, served upon plaintiff Waymo as Exhibit  
28 A to this declaration, and state that further redaction is required. The portions highlighted in

1 yellow were originally omitted in error.

Document	Portions to Be Filed Under Seal
Exhibit 2 to the Letter Brief	Portions highlighted in blue and yellow

4 7. The highlighted portions of Exhibit 2 contain highly confidential sensitive business  
 5 information of Otto Trucking relating to terms of Otto Trucking's agreements. This information is  
 6 not publicly known, and its confidentiality is strictly maintained. I understand that this information  
 7 could be used by competitors to Otto Trucking's detriment, including in the context of negotiating  
 8 business deals. If such information were made public, I understand Otto Trucking's competitive  
 9 standing could be significantly harmed.

10 8. Defendants' request to seal is narrowly tailored to those portions of the Plaintiff's  
 11 Letter Brief and its supporting papers that merit sealing.

12 I declare under penalty of perjury under the laws of the United States that the foregoing is  
 13 true and correct. Executed this 26th day of June, 2017 in San Francisco, California.

14  
 15 /s/ Hayes P. Hyde  
 16 Hayes P. Hyde  
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**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Northern District of California by using the CM/ECF system on June 26, 2017. I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I certify under penalty of perjury that the foregoing is true and correct. Executed this 26<sup>th</sup> day of June 2017.

/s/ Hayes P. Hyde  
Hayes P. Hyde